

10-14 FAX 212+888+4848

KRAUS & ZUCHEWSKI LLP

Kaplan
2007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/16/07

SALVATORE COSTA,

Plaintiff,

-against-

07-Civ.-8032 (LAK)

THE CITY OF NEW YORK AND JOE FOX,

Defendants.

X

Consent Scheduling Order

Upon consent of the parties, it is hereby

ORDERED as follows:

1. No additional parties may be joined after **November 12, 2007**.
2. No amendments to the pleadings will be permitted after **November 21, 2007**.
3. The parties shall make required Rule 26(a)(2) disclosures with respect to:
 - (a) expert witnesses on or before: **Not applicable**.
 - (b) rebuttal expert witnesses on or before **Not applicable**.
4. All discovery, including any depositions of experts, shall be completed on or before **March 3, 2008**.
5. A joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before **April 3, 2008**.
6. No motion for summary judgment shall be served after the deadline fixed for submission of the pretrial order. The filing of a motion for summary

judgment does not relieve the parties of the obligation to file the pretrial order on time.

7. If any party claims a right to trial by jury, proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.
8. Each party or group of parties aligned in interest shall submit not less than ten (10) days prior to trial (a) a trial brief setting forth a summary of its contentions and dealing with any legal and evidentiary problems anticipated at trial, and (b) any motions in limine.
9. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. Counsel should assume that extensions will be granted as a matter of routine.

Dated: New York, New York
October 15, 2007

DAVID M. FISH
Attorney for Plaintiff
500 Fifth Avenue
Suite 5100
New York, New York 10110
212-869-1040

By: David Fish
David M. Fish

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Respondents
100 Church Street, Room 2-184
New York, New York 10007
212-788-1158

By: Ivan Mendez
Ivan Mendez
Assistant Corporation Counsel

Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge

10/16/07